IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 4TH OCTOBER 2007 / 12TH ASWINA 1929

Bail Appl..No. 6048 of 2007()

C.R.NO. 49/07 OF KASARAGOD EXCISE RANGE
AGAINST THE JUDGEMENT/ORDER IN BA.5563/2007 Dated 17/09/2007
CMP.3927/2007 of J.M.F.C.,KASARAGOD

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PETITIONER/ACCUSED:

VASANTHAN, S/O. DAKOJI RAO,
KELUGUDDE HOUSE, KUDLU VILLAGE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT/STATE:

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1. THE RANGE OFFICER,
EXCISE RANGE, KASARAGODE.

2. STATE, REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 04/10/2007, A/W. BA 6049 OF 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.Nos. 6048 & 6049 of 2007

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Dated this the 4th day of October, 2007

O R D E R

These applications are for regular bail by the same petitioner and his earlier applications were dismissed by common order dt.17.9.2007. Facts have been adverted to in detail in the said common order. This order must be read in continuation of the said order. I am hence not adverting to facts in any greater detail in this order. The petitioner was allegedly found to be in possession and transporting 6 x 200 x 100 ml. and 1500 x 100 ml. of arrack in packets on two different occasions - on 1.7.07 and 14.8.2007. He continues in custody from 14.8.2007.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is given the full compliment of 60 days to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 14.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) in each case with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Kasaragod Excise Range on all Mondays, Wednesdays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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